

Message Text

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ACTION EUR-25

INFO OCT-01 IO-14 ISO-00 EURE-00 SSO-00 NSCE-00 USIE-00

INRE-00 CIAE-00 DODE-00 PM-07 INR-10 L-03 NSAE-00

NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20 ACDA-19 SAJ-01

EB-11 NIC-01 OMB-01 COA-02 DRC-01 /135 W

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O R 211310Z NOV 73

FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 8839

INFO AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION BERLIN

USMISSION USUN NEW YORK

USMISSION NATO BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 02 BONN 16823

E.O. 11652: GDS

TAGS: PGOV, ETRN, GW, GE, UN, US, FR, UK

SUBJECT: GDR PROTEST OF FRG REPRESENTATION OF BERLIN
IN IMCO

SUMMARY. AT NOVEMBER 20 MEETING BONN GROUP REVISED
DRAFT ALLIED NOTE ON FRG REPRESENTATION OF WEST BERLIN
IN IMCO ALONG LINES WE BELIEVE WILL MEET DEPARTMENT'S
POINTS REF B. IF CONCURRENCE FROM CAPITALS ON THIS AND
FRG DRAFT (BELOW) IS ACHIEVED IN TIME TO DO SO, FRG
PLANS TO DELIVER REPLY IN NEW YORK NOVEMBER 23 FOR
COMMUNICATION TO IMCO. END SUMMARY.

1. AT NOVEMBER 20 BONN GROUP MEETING THE FRENCH (PAYE)
AND FRG (LUECKING) REPS REPORTED THEIR AUTHORITIES
HAD APPROVED DRAFT ALLIED RESPONSE REF A. HOWEVER, UK
REP (CROMARTIE) SAID FCO COULD NOT ACCEPT LAST SENTENCE
PARA 4, FOR REASONS SIMILAR TO THOSE EXPRESSED BY
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DEPARTMENT REF B. ALTHOUGH DEPARTMENT'S INSTRUCTIONS

NOT RECEIVED IN TIME FOR MEETING, US REP WONDERED IF, IN VIEW OF THE NEED FOR COMPROMISE IN TIME FOR DELIVERY OF NOTES NOV. 23, TEXT WOULD BE ACCEPTABLE TO OTHERS WITHOUT THE OFFENDING SENTENCE. KASTRUP AND PAYE SAID THEY BELIEVED IT WOULD BE AND IT WAS AGREED TO REQUEST CLEARANCE FROM CAPITALS FOR NEW TEXT.

2. CROMARTIE THEN SAID HE HAD TWO OTHER MINOR POINTS TO MAKE: (A) FCO WONDERED IF THREE ALLIES COULD SIMPLY SEND ONE PIECE OF PAPER AROUND SIGNED BY ALL THREE PERM REPS, TO AVOID POSSIBLE CONFUSION AMONG THIRD COUNTRY DELEGATIONS WHO MIGHT NOT BE FAMILIAR WITH DETAILS OF THE BERLIN SITUATION. OTHER REPS SAID THEIR AUTHORITIES COULD PROBABLY AGREE TO THIS PROCEDURE, AND THE QUOTE I END QUOTE IN PARA ONE AND PARA FIVE WAS CHANGED TO QUOTE WE END QUOTE. (B) CROMARTIE SAID HIS AUTHORITIES BELIEVED THE PROPER MEANS OF COMMUNICATION OF THE ALLIED TEXT TO IMCO WOULD BE BY THE UN. HE ACCORDINGLY SUGGESTED THAT LAST PHRASE OF PARA FIVE BE CHANGED TO READ QUOTE OF THE UN AND COMMUNICATED TO IMCO END QUOTE. OTHER REPS RAISED NO OBJECTIONS TO THIS, BUT NOTED SUCH MATTERS WOULD BE BEST DECIDED IN NEW YORK BY RESPECTIVE UN MISSIONS.

3. ALL AGREED TO RECOMMEND ON A PRIORITY BASIS REVISED TEXT ABOVE.

4. DURING NOVEMBER 20 MEETING, PAYE ALSO MENTIONED THAT HIS AUTHORITIES BELIEVED FRG REPLY SHOULD NOT BE SAME AS THAT OF ALLIES. KASTRUP SAID FRG SIDE COULD AGREE TO SEND A DIFFERENT TEXT, ALTHOUGH IT HAD BEEN CONSIDERING DISPATCHING ONE IDENTICAL TO THAT OF ALLIES EXCEPT FOR REFERENCE TO BERLIN (WEST) INSTEAD OF ALLIES' WESTERN SECTORS OF BERLIN. (FYI. KASTRUP TOLD EMBOFF AFTER THE MEETING THAT FONOFF GOAL HAD BEEN TO GET ALLIES TO SEND A REPLY, AND HAVING APPARENTLY ACHIEVED THAT, HIS AUTHORITIES COULD PROBABLY BE VERY FLEXIBLE ON WORDING OF FRG RESPONSE TO GDR NOTE. END FYI.) IT WAS AGREED THAT AN EARLIER FRG DRAFT AS CONFIDENTIAL

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AMENDED BY ALLIES WOULD PROVIDE BASIS FOR DISCUSSION NOVEMBER 22. BEGIN TEXT. A. THE PERMANENT REPRESENTATIVE OF THE FEDERAL REPUBLIC OF GERMANY TO THE UNITED NATIONS PRESENTS HIS COMPLIMENTS TO THE SECRETARY-GENERAL AND, WITH REFERENCE TO THE COMMUNICATION OF THE LEGAL COUNSEL OF THE UNITED NATIONS OF 29 OCTOBER 1973 - C.N. 202.1973, TREATIES-8- TO THE VICE-CHANCELLOR AND MINISTER OF FOREIGN AFFAIRS

OF THE FEDERAL REPUBLIC OF GERMANY HAS THE HONOUR TO
COMMUNICATE THE FOLLOWING:

B. BY ITS DECLARATION OF 21 SEPTEMBER 1965 THE
GOVERNMENT OF THE FRG MADE PROVISION FOR THE EXTENSION
OF THE CONVENTION ON THE IMCO OF MARCH 6, 1948 TO
BERLIN (WEST). THE CONVENTION WAS EXTENDED TO BERLIN
(WEST) IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY
THE AUTHORITIES OF THE US, UK AND FRANCE, WHICH WERE

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ENDORSED IN THE QA BETWEEN THE THREE POWERS AND THE
USSR OF 3 SEPTEMBER 1971. CONSEQUENTLY, THE GOVERN-
MENT OF THE FRG HAS REPRESENTED THE INTERESTS OF
BERLIN (WEST) IN THE IMCO WITH THE AGREEMENT OF THE
THREE POWERS SINCE 1965. MOREOVER, THE REPRESENTA-
TION BY THE FRG OF THE INTERESTS OF BERLIN (WEST) IN

INTERNATIONAL ORGANIZATIONS AND INTERNATIONAL CONFERENCES, SO LONG AS MATTERS OF SECURITY AND STATUS ARE NOT AFFECTED, WAS ENDORSED IN THE QA AND ITS ASSOCIATED DOCUMENTS.

C. THE EMBASSY REQUESTS THAT THIS LETTER BE CIRCULATED AS AN OFFICIAL DOCUMENT OF THE UN AND COMMUNICATED TO IMCO. (FORMAL CLOSE.) END TEXT.

5. COMMENT: AS MENTIONED ABOVE, KASTRUP BELIEVED FONOFF COULD BE FLEXIBLE ON FRG DRAFT AND IF ALLIED CONFIDENTIAL

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CAPITALS APPROVED IT, WOULD PROBABLY BE PREPARED TO SEND VERSION ABOVE. FRENCH AND UK REPS INDICATED THEIR AUTHORITIES WOULD LIKELY ALSO AGREE. WE RECOMMEND IT, AND THE NEW ALLIED DRAFT, FOR THE DEPARTMENT'S APPROVAL. END COMMENT.

6. WOULD APPRECIATE DEPARTMENT'S COMMENTS ON DRAFTS IN TIME FOR NOVEMBER 22 MEETING. IF NECESSARY BONN GROUP AGREEMENT CAN BE ACHIEVED, WE WILL REPORT IMMEDIATELY WITH A VIEW TOWARD DELIVERY OF THE NOTES IN THE UN NOVEMBER 23, LAST DAY OF THE IMCO CONFERENCE IN LONDON.

7. REFERENCES FOR THIS TELEGRAM ARE: A) BONN 16660; B) STATE 229048. HILLENBRAND

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Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
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30 JUN 2005

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